(Substitute) PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031-U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE ction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/537,722 **TRANSMITTAL** Filing Date August 1, 2005 **FORM** First Named Inventor Paul Townsend Art Unit 1645 **Examiner Name** (to be used for all correspondence after initial filing) Attorney Docket Number D2018/20002 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a **Proprietary Information** After Final **Provisional Application** Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer below): Extension of Time Request - Return Receipt postcard Request for Refund Express Abandonment Request - PTO Form 1449 and copies of foreign cited references CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 Please charge Attorney Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., Customer No. 03000 Signature Printed name Barry A. Stein Date Reg. No. 25,257 November 29, 2005 CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: [Transmitted to Facsimile No. (571) 273,8300]

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Barry A. Steir Typed or printed name

Date

November 29, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

UNITED STATES PATENT AND TRADEMARK OFFICE PATENT EXAMINING OPERATION

First Named Inventor: TOWNSEND, PAUL

Serial No: 10/537,722

DEC 0 2 2005

Group Art Unit: 1645

Filed: August 1, 2005

Examiner:

Att. Docket No.: D2018/20002

Confirmation No.: 5121

For:

BREATHING APPARATUS

INFORMATION DISCLOSURE STATEMENT

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. No copies of U.S. patents or U.S. patent application publications are attached. 37 CFR § 1.98(a)(2)(ii). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. No representation is made that the references are prior art with respect to this application.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a CPA under 37 CFR § 1.53(d), within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in an international application, before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of an RCE under 37 CFR § 1.114. No certification or fee is required. 37 CFR § 1.97(b).

English-language Abstracts of the non-English language references are attached hereto.

Application No. 10/537,722 Information Disclosure Statement Dated November 29, 2005

The references were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.

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By

CAESAR, RIVISE, BERNSTEIN, COHEN & POKOTILOW, LTD

November 29, 2005

Please charge or credit our Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.

Barry A. Stein

Respectfully submitted,

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Attorneys for Applicants

Substitute for PTO/SB/O8A (08-00)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application Number 10/537,722

Filing Date August 1, 2005

First Named Inventor Townsend, Paul

Group Art Unit 1645

Examiner Name

Attorney Docket Number D2018/20002

(use as many sheet as necessary) 1 1 Sheet of **U.S. PATENT DOCUMENTS** U.S. Patent Document Date of Publication of Cited Document Name of Patentee or Applicant of Cited Document Examiner Cite MM-DD-YYYY Initials' No. Number Kind Code (if known) 11-02-1982 4,356,820 Trinkwalder, Jr. 04-11-1989 Himmens 4,819,626 05-28-2002 6,394,091 **B1** Giorgini **FOREIGN PATENT DOCUMENTS** Foreign Patent Document Date of Publication Ŧ Examiner Name of Patentee or Applicant of Cited Document of Cited Document Kind Code Office Number MM-DD-YYYY Initials* No. (If known) 08-22-1963 DE 1153258 Dragerwerk, Heinr. & Bernh. Drager Auergesellschaft GmbH 11-02-1978 27 20 681 **B1** DE 06-12-2003 / DE 10159219 MSA Auer GmbH OTHER DOCUMENTS - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, etc.), Initials date, page(s), volume-issue number(s), publisher, city and/or country where published International Search Report re PCT/GB 03/05346 mailed January 4, 2004

EXAMINER DATE CONSIDERED

^{*}Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.